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FILED

UNITED STATES DISTRICT COURT

07 OCT 17 AM 10:29

SOUTHERN DISTRICT OF CALIFORNIA

CLERK U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

BY: DEPUTY

UNITED STATES OF AMERICA, Plaintiff, v. **Jose Miguel MANRIQUEZ-Martinez** Defendant.	Magistrate Case No. '07 MJ 2478 **COMPLAINT FOR VIOLATION OF** Title 8, U.S.C., Sec. 1324(a)(2)(B)(iii) - Bringing in Alien(s) Without Presentation (Felony)

The undersigned complainant, being duly sworn, states:

That on or about **October 16, 2007**, within the Southern District of California, defendant **Jose Miguel MANRIQUEZ-Martinez**, with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that the aliens, namely **Victor LOPEZ-Balcazar, America Sarahy RAMIREZ-Araiza, and Maria Elena RIOS-Franco** had not received prior official authorization to come to, enter and reside in the United States, did attempt to bring to the United States said aliens, and upon arrival did not bring and present said aliens immediately to an appropriate immigration officer at a designated port of entry; in violation of Title 8, United States Code, Section 1324(a)(2)(B)(iii).

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

SIGNATURE OF COMPLAINANT
Sara Esparagoza, U.S. Customs and Border Protection Enforcement Officer

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 17th DAY OF **October, 2007**

UNITED STATES MAGISTRATE JUDGE

JDY

PROBABLE CAUSE STATEMENT

The complainant states that **Victor LOPEZ-Balcazar, America Sarahy RAMIREZ-Araiza, and Maria Elena RIOS-Franco,** are citizens of a country other than the United States; that said aliens have admitted they are deportable; that their testimony is material; that it is impracticable to secure their attendance at trial by subpoena; and they are material witnesses in relation to this criminal charge and should be held or admitted to bail pursuant to Title 18, United States Code, Section 3144.

On October 16, 2007 at approximately 5:25 PM, **Jose Miguel MANRIQUEZ-Martinez (Defendant)** made application for admission into the United States at the San Ysidro Port of Entry as the driver of a brown Ford Taurus. Defendant presented to a Customs and Border Protection (CBP) Officer a DSP-150 Laser Visa card bearing the name Christian Orozco Del Prado. The CBP Officer received a negative customs declaration from Defendant and noticed Defendant was an impostor to the document presented. During an inspection of the vehicle, the CBP Officer discovered individuals concealed in the trunk. The vehicle and its occupants were escorted to secondary for further inspection

In secondary, CBP Officers removed three individuals from within the trunk of the vehicle. The three individuals are now identified as Material Witnesses: **Victor LOPEZ-Balcazar (MW1), America Sarahy RAMIREZ-Araiza (MW2),** and **Maria Elena RIOS-Franco (MW3)**. Material Witnesses were determined to be citizens of Mexico with no entitlements to enter, pass-through, or reside in the United States.

During a videotaped proceeding, Defendant was advised of his Miranda Rights. Defendant acknowledged his rights and elected to answer questions without an attorney present. Defendant admitted an unknown man provided him with the DSP-150 Laser Visa card and the vehicle he was driving. Defendant stated he thought there were people concealed in the vehicle. Defendant stated the unknown man was going to charge him a discounted smuggling fee of $1500.00 (USD) instead of $3000.00 (USD) for driving the vehicle. Defendant stated he was going to drive the vehicle to an unknown location in the United States. Defendant admitted the document he presented belonged to another person and that he knows it is illegal to use a document other than his own. Defendant also stated he has no legal entitlements to enter or reside in the United States

Videotaped interviews were conducted with Material Witnesses. All Material Witnesses stated they are citizens of Mexico with no documents to lawfully enter or reside in the United States. MW1 stated his friend made arrangements with an unknown man for him to be smuggled into the U.S. MW2 stated MW1 made the arrangements for her to be smuggled into the U.S. MW3 stated she made her smuggling arrangements with an unknown person. Material Witnesses stated they were going to pay fees ranging from an unknown amount to approximately $3000.00 (USD) to be smuggled into the U.S. Material Witness stated they intended to travel to Los Angeles, California to seek employment and resume residency.

SIGNATURE OF COMPLAINANT
Sara Esparagoza, U.S. Customs and Border
Protection Enforcement Officer

UNITED STATES MAGISTRATE JUDGE